

## **REMARKS**

### **I. Introduction**

Claims 1 to 20 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Rejection of Claims 1 to 3 Under 35 U.S.C. § 103(a)**

Claim 1 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2001/0005137 (“Horie ’137”) and U.S. Patent Application Publication No. 2002/0113596 (“Horie ’596”). It is respectfully submitted that the combination of Horie ’137 and Horie ’596 does not render unpatentable these claims for at least the following reasons.

Although Applicants do not necessarily agree with the merits of the present rejection, to facilitate prosecution, claim 1 has been amended herein without prejudice to recite that the evaluation circuit is disposed on the substrate and in communication with the electrodes. Support for this amendment may be found, for example, at page 3, lines 13 to 15 of the Specification. By positioning the evaluation circuit on the same substrate as the electrodes, the sensing region is in close proximity to the evaluation circuit, which may allow the voltage drop in the conductor tracks between the interdigital comb structures and the evaluation circuit to approach zero. See Specification at page10, lines 7 to 13.

Neither Horie ’137 nor Horie ’596 discloses, or even suggests, an evaluation disposed on the same substrate as two electrodes that form an interdigital comb structure. As such, the combination of Horie ’137 and Horie ’596 does not disclose, or even suggest, all of the features of claim 1. Thus, the combination of Horie ’137 and Horie ’596 does not render unpatentable claim 1 or any claim that depends from claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

### **III. Rejection of Claims 4 to 6 Under 35 U.S.C. § 103(a)**

Claims 4 to 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Horie ’137, Horie ’596, and U.S. Patent No. 5,904,987 (“Tani et al.”). It is respectfully submitted that the combination of Horie ’137, Horie ’596,

and Tani et al. does not render unpatentable these claims for at least the following reasons.

Claims 4 to 6 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, the combination of Horie '137 and Horie '596 does not disclose, or even suggest, all of the features recited in claim 1. Tani et al. is not relied upon for disclosing the features of claim 1 not disclosed or suggested by the combination of Horie '137 and Horie '596. Indeed, Tani et al. does not disclose, or even suggest, the features of claim 1 not disclosed or suggested by the combination of Horie '137 and Horie '596. That is, Tani et al. also does not disclose, or even suggest, an evaluation disposed on the same substrate as two electrodes that form an interdigital comb structure.

In view of all of the foregoing, it is respectfully submitted that the combination of Horie '137, Horie '596, and Tani et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Horie '137, Horie '596, and Tani et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

#### **IV. Rejection of Claims 7 and 8 Under 35 U.S.C. § 103(a)**

Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Horie '137, Horie '596, Tani et al., U.S. Patent No. 5,320,735 ("Kato et al.") and U.S. Patent No. 5,126,034 ("Carter et al."). It is respectfully submitted that the combination of Horie '137, Horie '596, Tani et al., and Carter et al. does not render unpatentable these claims for at least the following reasons.

Claims 7 and 8 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, the combination of Horie '137, Horie '596, and Tani et al. does not disclose, or even suggest, all of the features recited in claim 1. Kato et al. and Carter et al. are not relied upon for disclosing the features of claim 1 not disclosed or suggested by the combination of Horie '137, Horie '596, and Tani et al. Indeed, Kato et al. and Carter et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by the combination of Horie '137, Horie '596, and Tani et al.

In view of all of the foregoing, it is respectfully submitted that the combination of Horie '137, Horie '596, Tani et al., Kato et al., and Carter et al. does not disclose, or even suggest, all of the features of claims 7 and 8. As such, it is respectfully submitted that the combination of Horie '137, Horie '596, Tani et al., Kato et al., and Carter et al. does not render unpatentable claims 7 and 8. Accordingly, withdrawal of the present rejection is respectfully requested.

**V. Rejection of Claims 9 to 13 Under 35 U.S.C. § 103(a)**

Claims 9 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Horie '137, Horie '596, and U.S. Patent No. 3,843,400 ("Radford et al."). It is respectfully submitted that the combination of Horie '137, Horie '596, and Radford et al. does not render unpatentable the present claims for at least the following reasons.

Claims 9 to 13 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, the combination of Horie '137 and Horie '596 does not disclose, or even suggest, all of the features recited in claim 1. Radford et al. is not relied upon for disclosing the features of claim 1 not disclosed or suggested by the combination of Horie '137 and Horie '596. Indeed, Radford et al. does not disclose, or even suggest, the features of claim 1 not disclosed or suggested by the combination of Horie '137 and Horie '596.

In view of all of the foregoing, it is respectfully submitted that the combination of Horie '137, Horie '596, and Radford et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Horie '137, Horie '596, and Radford et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

**VI. Rejection of Claims 14 to 19 Under 35 U.S.C. § 103(a)**

Claims 14 to 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Horie '137, Horie '596, Tani et al., U.S. Patent No. 4,582,589 ("Ushizawa et al.") and U.S. Patent No. 5,522,980 ("Hobbs et al."). It is respectfully submitted that the combination of Horie '137, Horie '596, Ushizawa et al. and Hobbs et al. does not render unpatentable these claims for at least the following reasons.

Claims 14 to 19 ultimately depend from claim 1 and therefore include all of the features of claim 1. As indicated above, the combination of Horie '137, Horie '596, and Tani et al. does not disclose, or even suggest, all of the features of claim 1. Ushizawa et al. and Hobbs et al. are not relied upon for disclosing the features of claim 1 not disclosed by the combination of Horie '137, Horie '596, and Tani et al. Indeed Ushizawa et al. and Hobbs et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by the combination of Horie '137, Horie '596, and Tani et al.

In view of the foregoing, it is respectfully submitted that the combination of Horie '137, Horie '596, Tani et al., Ushizawa et al., and Hobbs et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Horie '137, Horie '596, Tani et al., Ushizawa et al., and Hobbs et al. does not render unpatentable the present claims. Accordingly, withdrawal of this rejection is respectfully requested.

**VII. Rejection of Claim 20 Under 35 U.S.C. § 103(a)**

Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Horie '137, Horie '596, and U.S. Patent 1,956,741 ("Hornberger"). It is respectfully submitted that the combination of Horie '137, Horie '596, and Hornberger does not render unpatentable claim 20 for at least the following reasons.

Claim 20 depends from claim 1 and therefore includes all of the features recited in claim 1. As more fully set forth above, the combination of Horie '137 and Horie '596 does not disclose, or even suggest, all of the features recited in claim 1. Hornberger is not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by the combination of Horie '137 and Horie '596. Indeed, Hornberger does not disclose, or even suggest, the features of claim 20 not disclosed or suggested by the combination of Horie '137 and Horie '596.

In view of the foregoing, it is respectfully submitted that the combination of Horie '137, Horie '596, and Hornberger does not disclose, or even suggest, all of the features of claim 20. As such, it is respectfully submitted that the combination of Horie '137, Horie '596, and Hornberger does not render unpatentable claim 20. Accordingly, withdrawal of this rejection is respectfully requested.

**VIII. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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